

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re : **Chapter 11 Case No.**
:
LEHMAN BROTHERS HOLDINGS INC., et al., : **08-13555 (JMP)**
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Debtors. : **(Jointly Administered)**
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**ORDER DENYING MOTION OF WILLIAM KUNTZ III UNDER
RULE 60 FOR RELIEF FROM ORDER DATED OCTOBER 16, 2008**

Upon the motion, dated October 18, 2008 (the “Motion”) [Docket No. 1261], of William Kuntz III (“Kuntz”) pursuant to Rule 60 of the Federal Rules of Civil Procedure made applicable to these cases pursuant to Rule 9024 of the Federal Rules of Bankruptcy Procedure for relief from an order, dated October 16, 2008 [Docket No. 1094], denying Kuntz’s motion for relief from the automatic stay; and upon the affidavit, dated March 5, 2009 (the “Affidavit”) [Docket No. 3028], of Kuntz in Support of the Motion; and upon the objection to the Motion, dated September 10, 2009 (the “Objection”) [Docket No. 5093], filed by the debtors (the “Debtors”) in the above-captioned chapter 11 cases; and upon Kuntz’s reply, dated September 12, 2009 (the “Reply”) [Docket No. 5180], in further support of the Motion; and the Court having jurisdiction to consider the Motion and the relief requested therein in accordance with 28 U.S.C. §§ 157 and 1334 and the Standing Order M-61 Referring to Bankruptcy Judges for the Southern District of New York Any and All Proceedings Under Title 11, dated July 10, 1984 (Ward, Acting C.J.); and due and proper notice having been provided, and it appearing that no other or further notice need be provided; and a hearing having been held to consider the relief

requested in the Motion on September 15, 2009 (the “Hearing”); and the Court having considered the Motion, the Affidavit, the Objection and the Reply; it is hereby

ORDERED that, for the reasons set forth by the Court on the record of the Hearing, the Objection is sustained and the Motion is denied.

Dated: New York, New York
September 17, 2009

s/ James M. Peck
UNITED STATES BANKRUPTCY JUDGE